REMARKS

The Office Action mailed October 7, 2005 considered and rejected claims 1-48[1]. By this paper, claims 1, 10, 28, and 34 have been amended such that claims 1, 3-10, 12-18 and 28-48 remain pending, and of which claims 1, 10, 28 and 34 are the only independent claims at issue.

The present application is directed to a system where a user remote from a multimedia device, such as a set top box for displaying programming on a display, can access the multimedia device to control the multimedia device. In this manner, the user can adjust various settings, schedule time shifting recording, and the like. The embodiments claimed by the amended claims recite that a user is authenticated *to the multimedia device by providing authentication information to the multimedia device*. This prevents unauthorized persons from, for example, altering or viewing settings on the multimedia device.

For example, claim 1 recites elements of accessing a client system through a network with a remotely located access device; authenticating a user of the remotely located access device to a client system *by providing authentication information to the access device*; once the user is authenticated, retrieving and displaying a program guide on the remotely located access device; selecting an event using the program guide; sending the selected event to the client system; and scheduling the event at the client system.

Claim 10 is a computer program product claim that recites the elements of claim 1.

Claim 28 is similar to claim 1 with a number differences including that it recites the use of device services and authentication services to authenticate the user. Additionally, claim 28 is directed specifically to set top boxes.

Claim 34 is a computer program product claim that recites the elements of claim 28.

[1] Claims 1, 3, 5-10, 12, 14-18, 28-39, and 44-47 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis et al (US Pat. Pub. No. 2005/0028208) (*Ellis*) in view of Allport (US Pat. No. 6,906,696) (*Allport*). Claims 4, 13, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Ellis* in view of *Allport* as discussed under Claim 1, and further in view of Herrington et al. (WO 00/78050) (*Herrington*). Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Ellis* in view of Allport as discussed under Claim 1, and further in view of Artigalas et al. (US Pat Pub. No. 2001/0014206) (*Artigalas*). Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

Ellis, in direct contrast to what is recited by the claims, and as admitted by the Examiner does not teach authenticating a user of a remotely located access device to the client system.

The Examiner cites *Allport* for illustrating a hand held terminal for authenticating users to a client system. Applicants respectfully traverse the Examiner's rejection, but have nonetheless amended the independent claims to further illustrate their novelty over *Ellis* and *Allport*, whether they are considered alone or in combination. The claims now explicitly recite, for example, that the client systems and set top boxes receive authentication information to authenticate a user.

Allport, on the other hand, is directed to authenticating users to a *controller*, and not the consumer device that the controller controls. For example, in summarizing the disclosure of *Allport*, the abstract states that "[m]ethods are described whereby multiple users can swap a controller of consumer devices...." The abstract further points out that a log-on procedure can be used to restore a "system state of the *controller* that existed the last time the user logged on thereto" (emphasis added). In discussing the field of his invention, *Allport* states that the "invention relates to methods of using a controller such that a first user may reinstate a prior system state of the *controller*" (col. 1, lines 29-31) (emphasis added). In discussing the background art, *Allport* makes reference to controllers that allow multiple users to take advantage of a controller's programmable interface (col. 1, lines 59-60). In describing the details of the invention, *Allport* does not refer to methods of authenticating a user at an access device to a client system or set top box, and in particular, *Allport* makes no mention of providing authentication information to the set top box. Rather, *Allport* discusses users logging onto controllers that control consumer electronics. *See e.g.* col. 3, lines 18-22 ("The present invention also enables each user of a multi-user controller to be presented upon log-on *to the controller* a system state the same as or similar to the system state the controller was in the last time the user had control thereof.")[2] The Examiner has cited portions of the application that refer to system states. However, when read in context, system states refer to system states of controllers and not consumer electronics. *See e.g.* col. 7, lines 13-17. Additionally, while *Allport* does show providing access to the functionality of consumer devices, such access is only provided after providing authentication information to the controller, not the consumer device. *See e.g.* col. 7, lines 54-53. *Allport* does not illustrate any passing along of authentication information from the

[2] See also references at col. 3, lines 39-41, col. 5, lines 2-6, col. 7, lines 13-17, col. 10, lines 9-14.

controller to the consumer device, as claimed, but rather conditions access to the consumer device on access to the controller. Thus, *Allport* fails alone or in combination with *Ellis* to illustrate each and every element of the claimed invention including at least "authenticating a user of the remotely located access device to the client system, wherein authenticating a user of the remotely located access device to the client system comprises providing authentication information to the client system...."

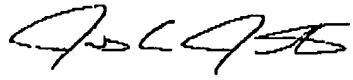
Herrington and *Arigalas* do not compensate for the deficiencies of *Ellis* and *Allport*. In particular, *Herrington* appears to be an international filing that is nearly identical to and claims at least one common inventor with *Ellis*. *Arigalas* is cited only for showing deleting programs from a collection of stored programs.

Furthermore, although the foregoing remarks have been focused primarily on the independent claims, it will be appreciated that all of the rejections and assertions of record with respect to the independent claims, as well as the dependent claims, are now moot, and therefore need not be addressed individually. However, in this regard, it should be appreciated that Applicant does not necessarily acquiesce to any assertions in the previous Office Action that are not specifically addressed above, and hereby reserves the right to challenge those assertions at any appropriate time in the future, should it arise, including any official notice.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 17 day of November, 2005.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
J. LAVAR OLDHAM
Registration No. 53,409
Attorneys for Applicant
Customer No. 47973

JLO:crb
PPA0003000164 9V001